

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
January 31, 2011

A special meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, January 31, 2011.

Present and composing a quorum were:

Mayor Louis Cooper  
Mayor Pro-Tempore Stan McCormick  
Councilmember Bobby Rosenthal  
Councilmember Fred Prassel  
Councilmember Elliot Weser  
Councilmember John Savage

Also attending were:

Interim City Manager Shawn P. Eddy  
City Secretary Jennifer Reyna

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Mayor Louis Cooper called the meeting to order at 5:34 p.m.

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Mayor Cooper announced that Attorney Graham Baker, resident, and John Joseph, resident, meet with the Governance and Communication Committee, which consisted Mayor Cooper and Councilmember Rosenthal. Mr. Baker and Mr. Joseph provided community input to assist the Council in making changes to the proposed charter amendment language.

Interim City Manager Shawn P. Eddy made a PowerPoint presentation that provided background information, proposed charter amendments, exceptions, and past petition information.

Attorney Frank Garza, who was hired to assist the City with the proposed Charter revisions, was present.

Mayor Cooper asked if a date of birth was not provided on a petition, what information may be submitted to meet requirements.

Mr. Garza stated that State law provides that if a voter's registration number is submitted the date of birth is not required. The proposed charter amendment will include language to include this option.

Mr. Eddy highlighted that Initiative and Referendum ordinances adopted or approved by the electors would be published and could be amended or repealed by the Council within 6 months of adoption. He added that no recall petition could be filed

against any elective officer of the City of Alamo Heights within 6 months after his election, nor within 6 months after an election for such officer's recall. He noted that Council may discuss or propose any changes to this portion, as concern has been expressed specifically to this portion.

Mr. Eddy informed Council that an election was held in Alamo Heights on January 15, 1977, in which the measure was defeated by a count of 866 votes against and 504 votes in favor.

Councilmember Rosenthal summarized the recommendations that the Governance and Communication Committee made. He stated the proposed exception language to include "the issues of public health and safety" to be removed as the language was not common nor mentioned in other cities and the topic was too broad. The Governance and Communication Committee recommended to remove the word "ordinance" under the exemption language and replace with words "action prohibited", so it will read: "any action prohibited not subject to initiative or referendum as provided by State Law..." He noted the proposed amount of signatures required in a petition would not change and language would be added to include the option of submitting a voter's registration number on a petition.

Councilmember Rosenthal explained the recommendation of a split Initiative and Referendum. He acknowledged the citizens' concern on the proposed time period of 6 months being too short for an effective ordinance. He proposed that Council may act upon an Initiative after a year of its adoption. Referendum should be 2 years, so Council would not undo something quickly that the voters have initiated. He concluded the Committee's recommendations and encouraged to be presented to the voters at the May 14, 2011 election.

Mayor Cooper opened the public hearing at 5: 46 p.m.

John Joseph, resident, complimented Council and the Governance and Communication Committee for their consideration of proposed changes. Mr. Joseph stated that the current Council will be remembered for consideration of this item.

Mayor Cooper asked Mr. Garza if the proposed changes are ideal to consider and common with other municipalities.

Mr. Garza responded that an ordinance repeal process is mentioned only in half of municipalities' charters to prevent the quick overturn of an Initiative and Referendum. He supported the Committee's recommendation on the proposed Initiative and Referendum time period as stated previously; 1 year for Initiative and 2 years for a Referendum.

Council complimented Councilmember Fred Prassel for pursuing this item and Councilmembers were supportive of the proposed recommendations that the Committee provided.

Councilmember Prassel complimented staff and the Committee for their time in consideration of the Initiative and Referendum.

Mayor Cooper announced that another public hearing will be conducted at the regular City Council meeting on February 14, 2011.

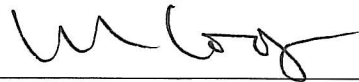
Mayor Cooper closed the public hearing at 5:54 p.m.

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There being no further business, a motion was made by Councilmember Fred Prassel to adjourn the special meeting. The motion was seconded by Mayor Pro Tem Stan McCormick and passed by unanimous vote. Mayor Cooper adjourned the meeting at 5:55 p.m.



Louis Cooper  
Mayor

  
Jennifer Reyna, TRMC  
City Secretary